

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEW YORKERS AGAINST  
CONGESTION PRICING TAX, *et al.*,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, *et al.*,

*Defendants.*

Case No. 1:24-cv-00367-LJL

**DECLARATION OF ROBERTA A. KAPLAN IN SUPPORT OF DEFENDANTS THE  
METROPOLITAN TRANSPORTATION AUTHORITY, THE NEW YORK CITY  
DEPARTMENT OF TRANSPORTATION, THE TRAFFIC MOBILITY REVIEW  
BOARD, AND THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY'S PARTIAL  
MOTION TO DISMISS THE AMENDED COMPLAINT**

I, Roberta A. Kaplan, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a member of the bar of the State of New York and am admitted to appear before this Court. I am a partner in the law firm Kaplan Hecker & Fink LLP, counsel for Defendants the Metropolitan Transportation Authority, the Traffic Mobility Review Board, and the Triborough Bridge and Tunnel Authority in the above-captioned action.

2. I respectfully submit this declaration in support of Defendants' partial motion to dismiss the Amended Complaint.

3. Attached hereto as **Exhibit A** is a true and correct copy of an excerpt of the transcript from the status conference, held on February 12, 2024, before Judge Lewis J. Liman.

Dated: New York, New York  
March 18, 2024

/s/ Roberta A. Kaplan  
Roberta A. Kaplan